



American Lamb Council



American Sheep Industry Association, Inc.

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American Wool Council

December 12, 2003

Regulatory Analysis and Development
PPD, APHIS, Station 3C71
4700 River Road Unit 118
Riverdale, MD 20737-1238

Docket No. 03-080-1: "Bovine Spongiform Encephalopathy; Minimal Risk Regions and Importation of Commodities"

The American Sheep Industry Association (ASI) is the national trade association for the United States sheep industry representing nearly 60,000 producers through the 41 State affiliates. We appreciate the opportunity to provide comments on this proposed rule and if the opportunity is provided, we may submit additional comments.

ASI appreciates the combined efforts of industry, federal and State governments over the past 15 years to prevent the occurrence of BSE in the United States. Extensive monitoring and active surveillance, research and diagnostic developments, education, feed regulations and import controls are a few of the initiatives that have worked to keep our country free of this disease. We recognize, as is discussed in the "Harvard Risk Assessment" report, that the mammalian to ruminant feeding regulation has provided a safety net or "fire wall" that both prevents BSE from occurring in this country, and would prevent a BSE epidemic from occurring should the disease enter U.S. livestock. The very high rate of compliance with this regulation throughout the livestock and feed industries should be comforting to all stakeholders and consumers alike.

The unfortunate occurrence of BSE in a domestic Canadian cow in May, 2003 has been very disruptive to markets and is cause for careful evaluation of current regulatory and industry-driven initiatives on BSE prevention, surveillance and risk. Canada is an important trading partner to the U.S. livestock, meat and feed industries. We appreciate the actions to mitigate BSE risk that Canada has taken both prior to and after May 2003. Trade between our countries should resume as soon as appropriate science-based risk reduction and mitigation measures can be put into place, confidently managed and enforced.

We agree in general with the agency's proposed factors for establishing BSE Minimal-Risk Regions and that it is more appropriate to use these factors as a combined and integrated evaluation tool in considering classification of regions rather than using single-factor values to determine classification as is referenced in OIE recommendations on ruminant feeding. However, we also believe that the factors should be quantitatively as

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well as qualitatively evaluated and the results measured in terms of the relative importance to the combined and integrated overall evaluation.

Surveillance for example (further discussed below) might need to be different than the OIE recommendation and weighted more heavily than some other factors. In evaluating additional regions (beyond Canada) we urge APHIS to publish for public comment detailed risk assessments as well as the results of the combined and integrated evaluation of the factors used to determine risk for establishing any "BSE Minimal-Risk Region".

ASI also generally agrees with the APHIS' determination of Canada as a BSE Minimal-Risk Region. Our following comments pertain specifically to sheep and sheep products.

As is stated in the docket, "...no natural infections with BSE have yet been confirmed in sheep..." We feel that this is an important point to recognize as BSE regulations are finalized for Canada as a BSE Minimal-Risk Region. Since, however, there have been experimental transmissions and "variant TSE" observed; and since it is generally accepted in scientific circles that sheep are at risk in BSE-infected countries of infection via oral transmission of infected feed, that restrictions on sheep are appropriate.

Sheep or Goats Less Than 12 Months of Age for Immediate Slaughter

We agree with the agency's determination that the likelihood that lambs from Canada that are 12 months of age or younger could provide a source of infection is extremely low. Therefore ASI supports the importation of live lambs that are 12 months of age or younger under the conditions outlined in the proposed rule to be included in Section 93.436, paragraph (c). When/if this proposed rule is finalized and as live sheep under 12 months of age are allowed for importation, we urge USDA to assess the immediate impact of the numbers of animals available for importation and help affect orderly movement of lambs so as to minimize market disruption.

Sheep or Goats Less Than 12 Months of Age Moved to a Designated Feedlot and Then To Slaughter

ASI believes that additional measures need to be taken before live sheep not for immediate slaughter are allowed to be imported from Canada. Also, we urge APHIS to publish specific criteria for "designated feedlots". In addition to criteria for defining these feedlots, we urge APHIS to publish methods and criteria through which inventory control and traceability can be achieved once imported feeder lambs are imported. Traceability of lambs once they are allowed to enter the U.S. is a key factor in any inventory management system and, must be functional in the field. In addition to tattoos as proposed by APHIS, we strongly believe that highly visible and specifically designed ear-tags are also necessary. We also urge that as a precondition to allowing feeder lambs or other classes of live sheep to enter the U.S. that are not being transported directly to slaughter, Canada implement a country-wide scrapie eradication program that is identical to the U.S. system along with an active surveillance system that meets or exceeds the U.S. criteria and numbers. An active surveillance, trace-back and eradication program will reduce risk and eventually eradicate scrapie as well as any other "variant TSE" that is expressed in a manner that is clinically similar to scrapie therefore reducing the risk of BSE entering the U.S. via sheep.

Fresh (Chilled or Frozen) Meat and Carcasses

We believe that the age, feeding and segregation criteria proposed by the agency are appropriate for lamb meat and carcasses.

Finally, we support science-based approaches to preventing and mitigating disease risk while fostering trade between our two countries. We believe that it is important to practice this principle as the regulations for BSE are established in order to resume trade and we also believe that it should be used to re-evaluate other sheep disease issues in light of resuming trade between the U.S. and Canada. Certainly a more modern, science-based approach to bluetongue risk and prevention should be established for importing sheep to Canada from the U.S. We urge APHIS and the Canadian counterpart to evaluate and remedy this issue.

A handwritten signature in black ink, appearing to read "Guy Flora". The signature is fluid and cursive, with a long horizontal stroke at the end.

Guy Flora
President